

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DNA GENOTEK INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 15-661-SLR
	)	
SPECTRUM DNA, SPECTRUM SOLUTIONS	)	
L.L.C., and SPECTRUM PACKAGING L.L.C.,	)	
	)	
Defendants.	)	

**PLAINTIFF’S NOTICE OF SUBSEQUENT AUTHORITY REGARDING  
DEFENDANTS’ RENEWED MOTION TO DISMISS DNA GENOTEK’S FIRST  
AMENDED COMPLAINT FOR LACK OF PERSONAL JURISDICTION**

In Defendants’ Reply in Support of Their Renewed Motion to Dismiss Plaintiff’s First Amended Complaint for Lack of Personal Jurisdiction (D.I. 108) Defendants Spectrum DNA, Spectrum Solutions L.L.C., and Spectrum Packaging L.L.C. (“Spectrum”) argued as follows:

... Spectrum now faces two virtually identical cases, one here and one freshly-filed action by Plaintiff on a substantially similar patent in California, in a blatant act of forum shopping. While Spectrum’s burden has multiplied, Reply Williams Decl. ¶ 9, Plaintiff can simply pursue these claims in California. Requiring Spectrum to face the same suit, at the same time, in two states is inconsistent with both Due Process and common sense. (D.I. 108 at 10.)

Plaintiff DNA Genotek, Inc. respectfully submits this Notice of Subsequent Authority to inform the Court that the California case referenced in Spectrum’s brief has been stayed pending the outcome of *inter partes* review of the patent-in-suit in that case (a continuation from the application for the patent-in-suit in the instant case). *See DNA Genotek, Inc. v. Spectrum Solutions L.L.C. et al.*, Case No. 3:16-cv-01544-JLS-NLS, Order Granting Defendants’ Motion to Stay Litigation Pending *Inter Partes* Review, D.I. 62 (S.D. Cal., Oct. 7, 2016) (Ex. A). Thus, the only active litigation between the parties is before this Court.

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Dated: October 17, 2016

/s/ Karen E. Keller

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